



STATE OF MAINE

MAINE STATE BOARD OF EDUCATION

Department of Education
AUGUSTA, MAINE 04333

The State Board of Education held a regular monthly meeting on April 9, 2003, at the Burton M. Cross Office Building, Room 541, Augusta with the following members present: Chair Jean Gulliver, Vice Chair Philip Dionne, Joyce McPhetres, Wes Bonney, Ken Allen, Jack Norris, Janet Tockman, and Ellie Multer. *Note: that this is a nine-member board with one vacancy.*

Also present were: Commissioner Gendron; Judy Malcolm, Team Leader, Support Systems Subteam; and Rhonda Casey, Clerk.

CALLED TO ORDER:

The meeting was called to order at 1:00 p.m.

CONSENT AGENDA:

REVISED SITE APPROVAL FOR LINCOLNVILLE ELEMENTARY

MOVED by Ellie Multer, seconded by Jack Norris, and voted eight in favor to approve the consent agenda.

REGULAR BUSINESS:

DESIGN AND FUNDING APPROVAL FOR THE KENNEBUNK ELEMENTARY SCHOOL IN SAD #71, MAJOR CAPITAL IMPROVEMENT CONSTRUCTION PROJECT

Statement of Fact: The SAD #71 Kennebunk Elementary School construction project received concept approval at the August 21, 2002, Maine State Board of Education meeting. The project was approved in local referendum on October 1, 2002. This Design and Funding Approval is being requested pursuant to M.R.S.A. Title 20-A.

At the October 1st referendum the voters approved two additional local articles totaling \$589,436 to extend a sewer line and sidewalks to the site. SAD #71 would like to include sewer extension costs in the construction project as a bid alternate (base bid includes an on-site system) and put the sidewalk project to bid on a separate contract.

Combining the design, construction documents, and bidding could enhance construction coordination and might generate cost savings to the District. There are no cost implications for the State in proceeding in this way.

SAD #71 has requested Design and Funding Approval for the Kennebunk Elementary School construction project qualifying under state statute and State Board of Education Rules for School Construction, and it is therefore recommended that the State Board approve the following:

1. That SAD #71's proposed project is eligible for school construction aid under M.R.S.A. Title 20-A, Chapter 609;
2. That the proposed project and the authorized method of financing are in the best interest of the State of Maine and the school unit;
3. That the total estimated capital outlay expenditures are reasonable; and
4. That SAD #71's proposed project is in compliance with M.R.S.A. Title 20-A, Chapter 301, as it relates to the provisions of special education facilities.

Concept Approval Date and Amount: August 21, 2002; \$15,463,288

Design & Funding Approval Date and Amount: April 9, 2003; \$16,052,724

Amount Included in Subsidized Debt Service: \$12,871,063

Local Only Project Funds: \$3,181,661

Increase (Decrease) From Concept Amount: \$589,436 (Additional local-only monies for locally approved off-site sewer line and sidewalks to be completed as part of the project.)

Recommendation: It is recommended by the Department of Education and the State Board's Construction Committee that the State Board of Education grant Design and Funding Approval to SAD #71 for the Kennebunk Elementary School Major Capital Improvement construction project.

This approval constitutes design approval. Final funding approval may be subject to adjustment under Section 15 of the State Board of Education Rules for School Construction Projects, which states:

"When it is determined by the Commissioner, following the opening of school construction bids, that there are surplus funds contained in a project budget, the State Board directs the Department of Education (DOE), with the advice of the Bureau of General Services, to initiate a process to lower the approved budget to the appropriate funding level, thus, providing additional funds for other projects awaiting concept approval."

MOVED by Ellie Multer, seconded by Wes Bonney, and voted eight in favor to grant Design and Funding Approval to SAD #71 for the Kennebunk Elementary School Major Capital Improvement construction project.

NEW BUSINESS:

Judy Malcolm provided the Board with an update on issues involving Chapter 61. Department staff identified a section relating to budgets, bonding, etc. in the new rule that needs to be addressed before the APA process can be initiated. Legal council has been involved and is aware of the issue. The Department is working to clarify the language and it is anticipated to bring any amendments to the Board during May's meeting. It has been determined that currently no schools will be affected by the error.

UNFINISHED BUSINESS:

CORRECTION OF THE STATEMENT OF FACT, AS PRESENTED AT THE MARCH 12, 2003, MEETING OF THE STATE BOARD OF EDUCATION WITH REGARD TO ITEM #V.A. OF THAT AGENDA. "REQUEST FOR ADMENDMENT OF THE APPROVED FINAL FUNDING BUDGET FOR THE VINALHAVEN COMMUNITY SCHOOL MAJOR CAPITAL IMPROVEMENT CONSTRUCTION PROJECT."

Note: The above exhibit was presented to the Board for clarification and informational purposes only. No formal action was required. See attached exhibit.

COMMISSIONER'S REPORT:

Commissioner Gendron reported on the following:

- That Ray Poulin has been hired as a project manager to work with the Maine Educational Data Management System (MEDMS). The system is necessary to meet the reporting requirements of the federal Elementary and Secondary Education Act, *No Child Left Behind*. She anticipates implementing short-term contracts with as many as nine individuals in order to obtain needed expertise to complete construction of the project in a timely way.
- That she attended the Governor's Cabinet meeting on April 9 and the Governor announced that all Departmental commissioners will look at ways to assist in dealing with the projected \$48 million shortfall for FY 04-05 and report back any identified cost savings to the Appropriation Committee.
- That the Appropriations Committee will be holding their supplemental budget reviews starting Monday, April 14. Departments will be meeting with the Appropriations Committee alphabetically with the exception of Human Services, which will be reviewed last.
- That the Governor's Office has asked that the Department of Education assist with consolidation efforts in the East Millinocket and Millinocket area.
- That the Technology Advisory Committee met on Thursday and Friday, April 3 and 4 with the Department of Education to share with them their

recommendations involving the Maine Educational Assessment (MEA). These recommendations focus on consolidating some content areas, as there is concern around reliability and validity and the need to increase the reliability of the data.

CHAIR'S REPORT:

Chair Gulliver reported on the following:

- That Jim Rier has officially resigned from the Board. He has accepted a position with the Department of Education as a Team Leader for Management Information Services.
- That there have been some reassignments within the Board. Ellie will be chairing the School Construction Committee with Phil and Jean as members; Jack has been reassigned to the Teacher of the Year Committee as well as focusing on the school and student health issues; and Jan will be taking over the work with certification.
- That the Nomination Committee is being convened and that Joyce will be chairing this committee with Wes and Jan serving as members. The Nominations Committee will be gathering nominations for chair and vice Chair and presenting them to the Board at the May 14 meeting.
- That the Commissioner met with Gwethlyn Philips of the Governor's Office to discuss the reappointment of Jean Gulliver and Jack Norris to the State Board of Education as well as filling the vacancy left by Jim.
- That the Commissioner and the Board have decided to reintroduce the Board's Agenda Review meeting. This meeting will be held the last Wednesday of each month.

Joyce left the Board meeting at 3:30 p.m. for another appointment.

BOARD MEMBER REPORTS:

Ellie Multer:

- That the School Construction Subcommittee's official name is School Construction Committee.
- Is interested in receiving a list of bills and their status from the Department that the legislature has considered.

Phil Dionne:

- That he had an opportunity in March to participate as a judge for the Health Occupational Students Association of America (HOSAA) show. This organization is one of many student vocational organizations in the state that have

- statewide competitions, and the winner from those competitions will move on to the national competitions.
- That he received an updated copy of the publication, Measures of Growth for 2003. The Maine Jobs Council (MJC) was briefed last Friday with the report's contents, and MJC learned that several areas are declining at an accelerated rate. Dana Evans, Department of Labor, also made a presentation of great concern involving the condition of the labor market.
 - That Wes attended a meeting with Phil of the Maine Association of Vocational Educators Administrators (MAVEA). MAVEA is assisting with the Essential Programs and Services initiative.

ADJOURNMENT:

State Board of Education unanimously agreed to adjourn the Wednesday, April 9, 2003, meeting at 3:45 p.m.